Application No.: 10/652,750   2   Docket No.: 249212022500

REMARKS

Claims 1, 2, 4-19 and 21-48 are pending in the application. No claims have been amended or canceled.

Claims 35 and 41 are rejected under 35 USC 102(e) over Kim. The Office action states that Kim discloses a "correlation filter having a transfer function based upon the transfer function of the bandpass filter," and that "a transfer function is a mathematical statement that describes a relation between the input and the output of a system. According to the Office action, because the output of the bandpass filter is the input of the correlation filter, the transfer function of the correlation filter is 'based upon' the transfer function of the bandpass filter."

Applicant respectfully disagrees with the above characterization. The Office action is correct in that a transfer function describes the relationship between input and output. In particular, the transfer function of the correlation filter describes the relationship between the output of the correlation filter to the input of the correlation filter.

However, although the output response of the correlation filter in Kim may arguably be related to the transfer function of the bandpass filter, the transfer function of the correlation filter alone is not based upon the transfer function of the bandpass filter. Instead, Kim describes the bandpass filter and correlation filter transfer functions with different variables H_{BP} and H_{corr}, and does not teach or suggest that the correlation filter transfer function depends upon that of the bandpass filter. That is, the transfer function of the correlation filter in Kim appears fixed and invariant with respect to the input of the correlation filter, in this case the correlation filter input being related to the output of the bandpass filter. Because the correlation filter transfer function is not a function of its input (or of the output of the bandpass filter), the correlation filter transfer function is not a function of (and therefore not "based upon") the transfer function of the bandpass filter. Consequently, claims 35 and 41 are allowable over Kim.

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The Office action rejected claims 37-40 and 43-46 under 35 USC 103 over Kim as modified by Stein and further in view of Saliba. For at least the foregoing reasons for allowability of independent claims 35 and 41, dependent claism 37-40 and 43-46 are also allowable.

The Examiner has allowed claims 1, 2, 4-19, and 21-34. Applicant respectfully thanks the Examiner for allowing the claims.
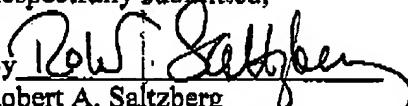
The Examiner objected to claims 47 and 48 as being allowable if rewritten to incorporate the limitations of the base claim and any intervening claims. In light of Applicant's arguments above as to base claims 35 and 41, Applicant respectfully submits that claims 47 and 48 are allowable without amendment.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **249212022500**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 23, 2006

Respectfully submitted,

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